

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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**BESSEMER SYSTEM FEDERAL CREDIT  
UNION, on behalf of itself and its members,**

Plaintiff,

vs.

Case No. 2:19-cv-00624-RJC

**FISERV SOLUTIONS, LLC, f/k/a FISERV  
SOLUTIONS, INC., and FISERV, INC.,**

Defendants.

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**DECLARATION OF CHARLES J. NERKO  
IN SUPPORT OF BESSEMER'S MOTION TO COMPEL RESPONSES TO  
BESSEMER'S SECOND REQUEST FOR PRODUCTION**

Charles J. Nerko declares under penalties of perjury:

1. I am a partner at Barclay Damon LLP and counsel to plaintiff Bessemer System Federal Credit Union ("Bessemer").
2. **Exhibit A** hereto is a true and correct copy of Bessemer's counsel's letter dated October 20, 2021 sent to Fiserv's counsel regarding deficiencies in Fiserv's responses to Bessemer's Second Request for Production.
3. **Exhibit B** hereto is a true and correct copy of Fiserv's letter dated November 1, 2021 in response to Bessemer's counsel's October 20, 2021 letter.
4. **Exhibit C** hereto is a true and correct copy of an email exchange between Bessemer's counsel and Fiserv's counsel from November 4, 2021 to November 5, 2021.

Dated: January 31, 2022

*/s/ Charles J. Nerko*  
Charles J. Nerko